

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, JULY 8, 2003**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, July 8, 2003, commencing at 7:00 a.m.

A. ROLL CALL

Present: Council Members – Beckman, Hansen, and Howard

Absent: Council Members – Land and Mayor Hitchcock

Also Present: City Manager Flynn, City Attorney Hays, and City Clerk Blackston

B. CITY COUNCIL CALENDAR UPDATE

City Clerk Blackston reviewed the weekly calendar (filed).

C. TOPIC(S)

C-1 "Discussion regarding swim teams"

Parks and Recreation Director Goehring reported that prior to the 2001 swim season there were a large number of registrants and as a result it was necessary to create a sixth team. To accommodate the additional team the City entered into a year-to-year agreement with Twin Arbor Athletic Club, which offered the use of its pool facilities. This year's agreement is effective June 2 through July 27. The agreement can be terminated within 48 hours after receiving written notice. On June 13 staff sent a letter of termination (effective June 16) to Twin Arbor, due to alleged violations of the agreement. On June 18 at the direction of the City Manager, staff sent a letter to the manager of Twin Arbor rescinding the termination and reinstating the Dolphins team for the remainder of the swim season. On July 2 a similar notice was mailed to each affected Dolphins team member's parent. Mr. Goehring reported that this matter was discussed at the Parks and Recreation Commission meeting last night.

Jennifer Alberti, Recreation Supervisor, stated that most of the difficulties surrounding this issue were due to a lack of communication. She noted that since February five meetings were held, at which coaches discussed the following issues:

- Multiple swim practices – The Twin Arbor Dolphins swim team had been allowed to swim in either morning or evening practice sessions; however, the agreement specifically states that the practice time must be between 4:00 to 8:00 p.m.;
- Paid coaching – For the past two years assistant coaches of the Dolphins team were paid; whereas, none of the assistant coaches on the other five teams were paid. Ms. Alberti noted that the assistant coach on the Dolphins team is no longer paid;
- Extended swim season – After the summer swim league ends, 20 to 30 members of the Dolphins team form and compete in a USA swim team;
- Recruiting from other teams – 90% of the Dolphins team is made up of transfers from existing swim teams. The Twin Arbor marketing department calls swim team members and encourages them to join the Dolphins team.
- Uneven teams – The Dolphins team initially had 130 swimmers. In an attempt to equal out the numbers, the Parks and Recreation Department gave the Dolphins coach the option of giving back 30 swimmers to distribute on other teams; however, the coach declined.
- Clinics – The Twin Arbor Dolphins swim team hosts clinics two months prior to the beginning of the season. Normally information regarding the clinics is mailed to swim program participants and is posted in the Parks and Recreation Department. This year Twin Arbor failed to forward information regarding the clinics to the Parks and Recreation Department, so they were not able to notify the other swim team members.

- Donations – Typically swim teams ask for a donation of \$5 to \$10 in order to purchase swim team attire and pay for end of season parties. The Twin Arbor Dolphins team asks for a \$40 contribution in addition to charging a 10% to 15% mark up for tee shirts and sweat shirts.

Ms. Alberti reported that the Dolphins coach failed to attend any of the five meetings. After considering all of these issues, it was the Department's recommendation to disband the Dolphins swim team and redistribute the swimmers to the remaining five teams.

City Manager Flynn stated that the recommendation to disband the team came from the coaches to Ms. Alberti, to former Parks and Recreation Director Baltz, and then to the City Manager. He emphasized that the issue is equity among the teams.

In answer to Council Member Beckman, Ms. Alberti reported that the swim team program is for youth ages 3 to 18. She acknowledged that only members of Twin Arbor Athletic Club can join the Dolphins team and non-members have the choice of joining any of the other five teams. Ms. Alberti stated that the Parks and Recreation Department generally has 20 to 50 youth on a waiting list for the swim program. She reported that all swim coaches receive a \$300 stipend for their teams. The Dolphins coach is paid a salary through Twin Arbor.

PUBLIC COMMENTS:

- Mark Bowman stated that he was a parent of Dolphins team members and was surprised at the level of antagonism that had erupted over this matter. The Dolphins team currently has 117 members, which is below the 120 maximum that the summer swim league bylaws mandate. He explained that rather than having the coach of the Dolphins team choose which 30 members had to be transferred to other teams, they had requested that the Parks and Recreation Department make the decision. He believed that the perceived inequities as outlined by Ms. Alberti were negligible in terms of their effect on making the Dolphins team more competitive. The Dolphins team has never won a championship and most of the swimmers are young. The Twin Arbor Dolphins team coach is paid a salary because the facility has a separate swimming pool that needs to be managed. He pointed out that conflicting information was presented this morning, i.e. 1) that there were a lower number of swim program participants this year, and 2) there are 20 to 50 youth on a waiting list for the swim program. He believed the parents, not the coaches, should have made the determination whether swim team members should have to be transferred for equity reasons two weeks into the swim program. He stated that communication to parents should have been made by the Parks and Recreation Department. Contrary to Ms. Alberti's report, only five or six members of the Dolphins team participate in the USA swim program off season, which is not a violation of the City's rules. He believed the matter of multiple practices was a non-issue because Dolphins team members are offered a choice of morning or afternoon practice, but the total amount of time in the pool was the same as other swim teams.
- Dennis Kaufmann, Manager of the Twin Arbor Athletic Club, stated that there was no attempt to draft other swim team members; they were merely trying to sell memberships and compete in the private enterprise environment. He reported that no members of the public had contacted him with grievances related to the Dolphins swim team. He acknowledged that he was serving on jury duty at the time letters were sent by the City.

In reply to Council Member Hansen, Mr. Goehring stated that the agreement between the City and Twin Arbor Athletic Club benefited both parties because the Parks and Recreation Department needed more pools to accommodate the number of swim program participants and Twin Arbor wanted to expand its existing swim program.

- Todd Hansen, parent of three Dolphins team members, stated that Ms. Alberti had informed him that the problem was inequity in numbers. He found it odd that they chose to resolve the problem by affecting the most number of children. The City allowed transfers from other teams to Twin Arbor. He pointed out that Ms. Alberti allowed 130 youth to sign up for the Dolphins team. The sign-up period was extended two weeks because the number of applicants did not reach expectation levels from previous years. He believed that the City chose to disband the Dolphins team rather than taking responsibility for allowing the transfers and resulting inequity in numbers.
- Luann Casey reported that she and her husband have volunteered over 24 years in the City swim program. She had voiced concerns to the City when it was originally considering the agreement with Twin Arbor. She believed that these, or similar issues, would surface every year because they are inherent to incorporating a volunteer program with a private entity. She was pleased that Mr. Goehring had taken the position of Parks and Recreation Director, and reported that the former Director never returned her phone calls and refused to discuss this issue with her.

City Attorney Hays noted that the agreement with Spare Time Incorporated, d.b.a. Twin Arbor Athletic Club, states that they are not to do recruiting, and that practices are to be held from 4:00 to 8:00 p.m. only. The Twin Arbor facility was not available for City teams to use. Competitions are only held at the Twin Arbor pool when the Dolphins team and another City team participate together. He believed it was unfair to suggest that the Parks and Recreation Department should have communicated individually with parents of Dolphins team members, as they are under the aegis of Twin Arbor.

- John Conner, coach of the Piranhas swim team, clarified that the decision to disband the Dolphins team was not made by the coaches, nor were the coaches involved when Twin Arbor was added to the City swim program. He stated that the coaches' main concern is that the teams be equal in number.
- Anne Cecchetti, coach of the Tritons swim team, concurred with Mr. Conner. She believed that the issues could be resolved and noted that this situation underscored the need for an aquatics center in Lodi.

Mr. Flynn acknowledged the error in his earlier statement regarding the recommendation having come from the coaches. He noted that he was meeting today with John Griffin and other members of the swim community to discuss ways of raising funds to build the aquatics center.

In reply to Council Member Hansen, Mr. Goehring reported that the Parks and Recreation Commission had supported staff's original decision to terminate the contract with Twin Arbor. At last night's meeting the Commission suggested that the Dolphins team not be disrupted during this swim season, and to evaluate the Twin Arbor situation and the City swim program goals and objectives at the conclusion of the season for possible amendments to the Memorandum of Understanding next year.

Council Member Hansen suggested that staff look into whether other cities have agreements with private sports facilities and what type of contracts and issues they have had. He stated that the main goal for the swim program is to have as many youth as possible participate.

Mayor Pro Tempore Howard saw no problem with Dolphins team members participating on the USA swim team, that their donation request is higher than others, or that they had a paid coach. She suggested that the contract be amended in the future to change the termination period from 48 hours to two weeks, noting that 48 hours is not enough time to receive information and inform effected parties. In addition she recommended that future written notices be sent to the manager of Twin Arbor, the coach, and assistant coach. She pointed out that the Parks and Recreation Department had two months to figure out the number of members on each team and the matter should have been resolved at that time, rather than two weeks into the program.

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Council Member Hansen suggested that the contract also make it mandatory for coaches to attend meetings.

D. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

E. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:13 a.m.

ATTEST:

Susan J. Blackston
City Clerk